

an original specimen seen by Gray (1838) when he described *V. gouldii* and, if this is the case, the designation by Mertens (1958) of it as a lectotype is invalid.

2(v). There is no provision in the Code stating that a lectotype, once selected, is 'not subject to replacement or invalidation by the Commission. Only a neotype is subject to review, and then only if the presumed lost holotype is later rediscovered'. On the contrary, the Commission may use its plenary powers to set aside original type material and designate a neotype as a means of preserving the stability of usage of a name for a taxon.

2(vi). The species named *Varanus panoptes* by Storr (1980) is not taxonomically the same as the geographically widespread species long understood as *V. gouldii*. The application does not propose to 'suppress' the name *gouldii*, but rather to maintain *gouldii* for the widespread species and *panoptes* for the northern, more restricted, species.

3. In their application, as originally submitted in 1996, Sprackland et al. proposed that Böhme's (1991) nomenclatural arrangement be followed, and they asked the Commission to endorse this. However, Sprackland was then unaware that the status of type material could be set aside by the Commission (see 2(v) above) and, after correspondence, the revised application was published proposing the conservation of both the names *gouldii* and *panoptes* in the senses accorded them by the majority of authors. It was proposed that this should be effected by setting aside Mertens's (1958) lectotype designation and substituting an appropriate neotype of *V. gouldii*.

5. Storr's (1980) proposal of the name *V. panoptes* was for a distinct species, taxonomically separate from the widespread species known as *V. gouldii*. There was no need for him to examine the specimen proposed by Mertens as the lectotype of *V. gouldii*, although in the light of what has happened since it is unfortunate that he did not do so.

6–11. References were included in the application (para. 7) to demonstrate the continuing usages of *gouldii* and of *panoptes* as proposed by Storr. Another application, also to conserve the names *gouldii* and *panoptes* in their traditional senses, was submitted by G.M. Shea & H.G. Cogger only slightly later than that by Sprackland et al., and included extensive lists of references for both names. These lists consisted of 57 references for the use of *gouldii* since 1991, and 58 references for the use of *panoptes* since its publication (13 references from 1994 to 1996, when the list was compiled). It is not correct to say that 'as Böhme's paper became more widely known usage of the name *panoptes* declined to reach the 1997 situation where it is now hardly, if ever, used, while the original names *gouldii* [in the sense of the restricted species] and *flavirufus* for the related [widespread] species have near universal usage'.

Gray, J. E. 1845a. *Catalogue of the specimens of lizards in the British Museum.*

Gray, J. E. 1845b. *The zoology of the voyage of H.M.S. Erebus & Terror, under the command of Captain Sir James Ross, during the years 1839 to 1843.*

Comment on the proposed conservation of *Coluber infernalis* Blainville, 1835 and *Eutaenia sirtalis tetrataenia* Cope in Yarrow, 1875 (currently *Thamnophis sirtalis infernalis* and *T. s. tetrataenia*; Reptilia, Squamata): proposed conservation of the subspecific names by the designation of a neotype for *T. s. infernalis* (Case 3012; see BZN 55: 224–228)

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